

Ser. No. 10/088,622
Internal Docket No. PF990063
Customer No 24498

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NOV 29 2006

Remarks/Arguments

Claims 1 and 6-11 are pending.

Rejection of claims 1 and 6-11 under 35 USC 103(a) as being unpatentable over D'Amico et al. (US Pat No 5077790) in view of Bjorklund et al. (US Pat No EP 0658021) and Turunen (US Pat No 6477644)

Applicants submit that for at least the reasons discussed in applicants' previous responses and the reasons further discussed below present claims 1 and 6-11 are patentably distinguishable over the teachings of the cited combination of references.

Applicants respond to the arguments in the Response to Amendment as follows.

Regarding the applicants' previous arguments that the key code disclosed by D'Amico does not correspond to the PIN of the network recited in the claims, the Examiner states:

First, the Examiner cited col. 3 lines 4-10 for Applicant's limitation wherein said "said device sending said PIN code and a device identifier to said central controller of the existing network" D'Amico clearly discloses the portable device sending portable identification number and key code/PIN code to access point for network registration as claimed. (emphasis in original)

As mentioned previously, the key code and the portable identification number sent by the portable device according to D'Amico are entirely distinguishable from the PIN of the network recited in the present claims. According to the present invention, the PIN code is a code that is **valid for the entire network** (see page 6, lines 5-6 of specification). That is, the same PIN code is used for all devices of the network (page 5, lines 21-22).

By contrast, the portable identification number is an identification number associated with the portable device that is used to identify itself to the network controller. Also, the key code of D'Amico is associated with a particular portable device. This key code is loaded into the portable device during manufacture or at the time the device is purchased (col. 2, lines 50-68). The key code is used to

Ser. No. 10/088,622
 Internal Docket No. PF990063
 Customer No 24498

encrypt and decrypt the secure registration data that is transmitted from the base station to the portable device. Nowhere does D'Amico disclose or suggest that this key code is valid for the entire network, or that the key code is used for all devices of the network. Thus, although the cited portion of D'Amico discloses transmitting a key code/PIN code to a base station, that key code/PIN code does not correspond to the PIN of the network recited in the present claims.

The Examiner further states:

*Second, the access point network is registering the mobile device by requesting PIN code so the mobile device's PIN code will become a PIN code of the access point network by checking in the access point database to validate received PIN code and if found, the access point transmits a portable identification number to the new device see, **abstract**, col. 5, lines 39-44, col. 5 lines 33-38 and lines 46-47. (emphasis in original)*

Again, the portable identification number is associated with the portable device and does not correspond to the PIN code recited in the claims. The cited portions refer to the operation of the network controller in verifying whether an identification number received from the portable device is in the network controller database, and if so, sending subscriber information that is encrypted with the key code of the device to the portable device. The portable identification number is a unique number associated with the portable device to enable the device to identify itself to the network controller. Such a unique identification number is wholly distinguishable from a PIN code that is valid for the entire network as taught by the present invention. Thus, applicants submit that the PIN code mentioned above does not correspond to the PIN code of the network recited in the present claims.

The Examiner further states:

Third, PIN code of the network is not clearly claimed as argued.

Applicant respectfully disagree. Claim 1 recites: "... (b) asking the user to enter a PIN code, said entered PIN code becoming the **PIN code of the new network** ... (f) checking by said existing central controller whether the entered PIN code corresponds to a **PIN code of the existing network** ...(emphasis added)" Similarly, claim 9 recites: "... (b) asking the user to enter a PIN code, said entered

Scr. No. 10/088,622
Internal Docket No. PF990063
Customer No 24498

PIN code becoming the **PIN code of the new network** ... (f) checking by said central controller of the existing network whether the entered Pin code corresponds to a **PIN code of the existing network...**(emphasis added)" In view of the above, applicants submit that the claims sufficiently recite the limitation of PIN of the network.

Finally, the Examiner states:

Fourth, D'Amico et al. is cited for this limitation when the Office sends actions three times and the Applicant is never argued regarding this issue before.

Applicants have attempted to fully respond to the rejections in the previous responses, and are not entirely aware of the basis of the above objection. Also, this objection does not appear to be directed to the substantive applicability of D'Amico to the present claims. Thus, Applicants request that the Examiner more specifically set forth the objection, so that applicants can more fully address the Examiner's concerns.

As to the argument that the references fail to teach a method comprising the step of asking a user through a user interface whether he wants to install a new network or install the device on an existing network, the Examiner states that D'Amico is cited as disclosing a method for registration on an existing network, and Turunen is cited as disclosing a method for registration on a new GSM cellular telephone network.

Applicants respectfully submit that no combination of D'Amico and Turunen teach or suggest the subject limitation. First, Turunen does not teach a method for **installing** a new network as recited in the claims. According to the invention, installing a new network refers to a process wherein the device sets up a **new network**, and then acts as the **central controller** of the newly formed network.

By contrast Turunen teaches a process wherein a device becomes **registered** to a new GSM telephone network. Clearly, the process of registering to a new network as taught by Turunen is distinguishable from installing a new network as recited in the claims. The device in Turunen does not set up a new network, and certainly does not act as a central controller of the GSM telephone

Ser. No. 10/088,622
Internal Docket No. PF990063
Customer No 24498

network. Thus, Tururen does not teach or suggest the subject limitation, and D'Amico fails to cure the defect of Tururen in this respect.

Second, Tururen fails to teach or suggest providing a **user interface** asking whether to install a new network or install the device on an existing network. In Tururen, the mobile host is being registered onto an **existing GSM** phone network from a previous network. There is no teaching or suggestion, and indeed no reason, for providing a user interface asking whether the user would like to install a new network in such a situation because such a possibility is not discussed at all in Tururen. D'Amico also fails to cure the defect of Tururen in this respect because there is no teaching or suggestion in D'Amico about installing a new network as recited in the claims.

Regarding the argument that D'Amico fails to ask the user to enter a PIN code, the Examiner states "PIN code of the mobile device is provided by the mobile device to the access point network for registration see, col. 3, lines 33-34, claim 1 and col. 5, lines 23-37. Applicants note that the cited portion of D'Amico refers to portable identification number that is transmitted by the mobile device to the network control center. As discussed above, the portable identification number is uniquely associated with the mobile device and is distinguishable from the PIN number of the network recited in the claims.

Regarding the limitation "... checking by said existing central controller ... sending an authentication key of the existing network from the existing central controller device" the Office Action states that D'Amico teaches transmitting an identification number in response to approving a mobile subscriber. Nevertheless, the examiner acknowledges that the identification number transmitted is not for authentication communications between the mobile device and existing access point network. To cure this deficiency, the Examiner cites Bjorklund as disclosing a base station access point generating an authentication key/network key and storing the generated authentication key on target wireless device/remote station for use in authentication procedures between the mobile device and base station access point.

The Examiner alleges that it would be obvious to combine the teachings of Bjorklund and D'Amico because "it is very well known to provide authentication key for wireless for use in authentication procedures during mobile device installation

Ser. No. 10/088,622
Internal Docket No. PF990063
Customer No 24498

... One would have been motivated to incorporate the teachings of storing authentication key for use in authentication procedures because it would authenticate wireless communications between mobile device, access point/base station/central controller as it is well known."

First, applicants note that the alleged teachings of Bjorklund fail to cure the deficiencies of D'Amico and Tururen discussed above as they apply to the present claims.

Second applicants submit that the suggested combination of Bjorklund and D'Amico constitutes improper hindsight reconstruction as there is no teaching or suggestion in either reference to modify the references in the manner suggested. D'Amico relates to a system for registering a portable unit with a base station using a portable Identification number and a key code. Bjorklund relates to a system for key distribution and authentication during network installation that uses a first installed base station for generating a network key and a backbone key, and then using the first installed base station for subsequent remote station or additional base station installations while avoiding communicating the network key.

Nowhere does the Office Action cite any portions of Bjorklund or D'Amico that teach or suggest modifying the system of D'Amico in the manner suggested. Rather, the Office Action merely provides a conclusory statement that it would be desirable to incorporate the teachings of Bjorklund to enable authenticate wireless communications. In fact, the Office Action admits that the identification number transmitted in D'Amico is not for authentication of communications between the mobile device and the access point network. Given this fact, the Office Action fails to provide any reasons provided by Bjorklund or D'Amico as to why one would be motivated to modify the system of D'Amico in the manner suggested. Applicants submit that the conclusory statement provided fails to evidence the required motivation to combine the references in the manner suggested.


Regarding the limitation "... storing said authentication key ...and said existing controller" the Office Action again cites Bjorklund and suggest modifying the system of D'Amico to cure the deficiencies of D'Amico. For the reasons discussed above, applicants submit that the teachings of Bjorklund fail to cure the deficiencies of D'Amico and Bjorklund and that the suggested combination is

Ser. No. 10/088,622
Internal Docket No. PF990063
Customer No 24498

improper since the Office Action fails to evidence the required teaching or motivation.

Having fully addressed the Examiner's rejections it is believed that, in view of the preceding amendments and remarks, this application stands in condition for allowance. Accordingly then, reconsideration and allowance are respectfully solicited. If, however, the Examiner is of the opinion that such action cannot be taken, the Examiner is invited to contact the applicant's attorney at (609) 734-6815, so that a mutually convenient date and time for a telephonic interview may be scheduled.

Respectfully submitted,
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Date: Nov 29, 2006